



Atty. Dkt. No. 074273-0179

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yukiyasu TSUNOO
Title: ENCRYPTION EVALUATION SUPPORT SYSTEM THAT
CAN LARGELY REDUCE EVALUATION TIME OF
ENCRYPTION ALGORITHM, AND RECORD MEDIUM
RECORDING ITS PROGRAM

Appl. No.: 09/766,675
Filing Date: 01/23/2001
Examiner: G. A. Morse
Art Unit: 2134
Confirmation No.: 2823

**REQUEST FOR ACKNOWLEDGEMENT OF INFORMATION DISCLOSURE
STATEMENT**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

In reviewing the above-captioned application file upon allowance, the undersigned has noted that PTO Form-SB08, submitted on February 24, 2004, has not been acknowledged by the Patent and Trademark Office.

The Patent and Trademark Office is, therefore, requested to return the initialed forms to the undersigned as soon as possible.

Respectfully submitted,

Date: March 14, 2005

FOLEY & LARDNER LLP
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38,819

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12,

Title: ENCRYPTION EVALUATION SUPPORT SYSTEM THAT CAN
LARGELY REDUCE EVALUATION TIME OF ENCRYPTION
ALGORITHM, AND RECORD MEDIUM RECORDING ITS
PROGRAM

Inventor(s): Yukiyasu TSUNOO Atty. Dkt. No. 074273-0179

Application No.: 09/766,675

- Information Disclosure Statement w/PTO SB/08 Form &
References - 3

Commissioner for Patents:

Please acknowledge receipt of the above-identified
documents by applying the U.S. Patent and Trademark
Office receipt stamp hereto and mailing this card.

Respectfully,
Foley & Lardner

Due Date: March 3, 2004
Inspected By: *[Signature]*

DABL/PJA/cw



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Attorney Docket No. 074273/0179**

Applicant: Yukiyasu TSUNOO

Title: ENCRYPTION EVALUATION SUPPORT SYSTEM THAT CAN
LARGELY REDUCE EVALUATION TIME OF ENCRYPTION
ALGORITHM, AND RECORD MEDIUM RECORDING ITS
PROGRAM

Serial No.: 09/766,675

Filed: January 23, 2001

Examiner: Unassigned

Art Unit: 2131

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB08 is a list of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any documents which

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Attorney Docket No. 074273/0179

is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that items of information A2 and A3 listed on the PTO SB/08 submitted with this Information Disclosure Statement were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Item of Information A1 is a U.S. patent that is a counterpart of item of information A3.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued January 13, 2004 with respect to a counterpart Japanese patent application is provided below.

"Note

Claim 1 describes a cryptography evaluation support system which computes and outputs the overall score for a graphical

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representation based on the points of unit graphics; however, it is unclear what sort of points are signified by these "points," and thus it is unclear why a "cryptography evaluation support system" would be constituted by computing scores based on such points. Therefore, the invention as per Claim 1 is not clear.

The same holds for Claims 2 through 10.

Reason B

The inventions related to the following claims of the present application could have been easily invented by a person with ordinary knowledge of technology in the field to which the invention belongs based on the inventions recited in the publications below, which had been distributed in Japan or abroad prior to the application, and therefore cannot receive a patent according to the stipulations of Article 29, Paragraph 2 of the Japan Patent Law.

Note

(for a list of the cited literature, see the List of Cited Literature)

Claims: 1

Cited Literature: 1

Remarks

Cited Literature 1 describes a system design evaluation CAD system containing: a block information storage unit 6 which stores block information represented by symbols; a parameter setting unit 22 which sets parameters for estimate evaluation for the aforementioned symbols; a design information storage unit 7 which stores said parameter information; an estimate evaluation processing unit 3 which performs block estimate evaluation using the aforementioned set parameters and block-specific estimate evaluation rules; and a GUI which, after multiple evaluation results have been accumulated, performs graphing and the like for comparison thereof (cf. paragraph numbers [0011] through [0069] and Figure 1).

To compare the invention as per Claim 1 with the invention described in Cited Literature 1, "block diagram" in the invention described in Cited Literature 1, except for the content signified by the diagram, corresponds to "graphical representation" in the invention as per Claim 1, and thus "block information storage unit

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6" in the invention described in Cited Literature 1 corresponds to "evaluation object storage unit" in the invention as per Claim 1.

Since the "block-specific estimate evaluation parameters" in the invention described in Cited Literature 1 correspond to the "points of unit graphics" in the invention as per Claim 1, the "design information storage unit 7" in the invention described in Cited Literature 1 corresponds to the "point storage unit" in the invention as per Claim 1.

Performing block estimate evaluation using set parameters and block-specific estimate evaluation rules and furthermore graphing the evaluation results in the invention described in Claim 1 corresponds to "giving the points stored in the aforementioned point storage unit to unit graphics within said graphical representation and computing and outputting the overall score for the aforementioned graphical representation according to predetermined computation rules" in the invention as per Claim 1, so the "estimate evaluation processing unit 3" in the invention described in Cited Literature 1 corresponds to the "evaluation execution means" in the invention as per Claim 1.

The two inventions differ in the point that the invention as per Claim 1 is a cryptography evaluation support system and the graphical representation is a cryptographic algorithm, while the invention described in Cited Literature 1 is a system which supports evaluation of "system configuration and architecture of electronic devices," and correspond otherwise.

To examine the aforementioned point of difference, cryptographic devices and system configurations and architectures of electronic devices have in common the point that they can be implemented by combining functional blocks, and thus, based on the invention described in Cited Literature 1, making cryptography the object of evaluation to arrive at the constitution of the invention as per Claim 1 does not go beyond what could be easily conceived of by a person skilled in the art.

Claims: 2

Cited Literature: 1 and 2

Remarks

To compare the invention as per Claim 2 and the invention described in Cited Literature 1, the two differ in the point that the

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invention as per Claim 2 "contains an automatic rearrangement means which generates graphical expressions wherein unit graphics selected by the user from the graphical representation inputted by the aforementioned evaluation execution means are automatically substituted with other types of graphical units, whereby the aforementioned evaluation execution means performs score computation for the aforementioned inputted graphical representation and for the graphical representation generated by the aforementioned automatic rearrangement means," while the invention described in Cited Literature 1 is not made so.

To examine the aforementioned point of difference, extracting characteristics from a given specification, searching for analogous cases based on those characteristics using an analogous case search means (310), selecting a case from multiple retrieved candidates, and correcting the selected case using a case correction means (311) is described in Cited Literature 2 (cf. page 2, right top column, line 1 to left bottom column, line 18, and Figure 3).

The inventions described in Cited Literature 1 and 2 both relate to system design support devices, so adapting the invention described in Cited Literature 2 to the invention described in Cited Literature 1 to arrive at the constitution of the invention as per Claim 2 is something which could be easily conceived of by a person skilled in the art.

Claims: 3

Cited Literature: 1 and 2

Remarks

Cited Literature 1 describes setting multiple parameters such as area, cost, power consumption delay time and reliability for the estimate parameters (cf. paragraph number [0064]).

Claims: 4

Cited Literature: 1 and 2

Remarks

Making the evaluation categories relate to cryptographic strength in the invention as per Claim 4 does not go beyond a matter to be carried out as appropriate for the object of design by a person skilled in the art.

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Claims: 5 and 6
Cited Literature: 1 and 2

Remarks

How evaluation should be performed is a matter to be decided as appropriate for the given design object by a person skilled in the art.

Claims: 7, 8 and 9
Cited Literature: 1 and 2

Remarks

The invention described in Cited Literature 1 contains a "block diagram input and editing unit" (cf. Figure 1) which performs input and editing of block diagrams, which corresponds to the "evaluation object editing means" in the invention as per Claim 7.

Furthermore, in the invention described in Cited Literature 1, after accumulating multiple evaluation results, graphing and the like is performed for comparison thereof; thus, it is found to contain the "evaluation results storage unit" and "results editing means" of the invention described in Claim 8.

Moreover, providing output sorted by a specified sort key in the invention as per Claim 9 does not go beyond conventional art so well known that no examples need be given.

Claims: 10
Cited Literature: 1 and 2

Remarks

The same holds here as what was stated for Claims 1 through 9.

List of Cited Literature

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1. Japanese Unexamined Patent Application Publication H11-191116
2. Japanese Unexamined Patent Application Publication H2-204837"

Applicant's statements regarding the Japanese Office Actions are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

Date

February 24, 2004Phillip J. Articola
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MODIFIED PTO/SB/08 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: February 24, 2004 (use as many sheets as necessary)		Complete if Known Application Number: 09/766,675 Filing Date: 01/23/2001 First Named Inventor: Yukiyasu TSUNOO Group Art Unit: 2131 Examiner Name: Unassigned Attorney Docket Number: 074273-0179	
Sheet	1	of	1

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	6,304,790		NAKAMURA et al.	10/16/2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	JP	2-204837			08/14/1990		ABS
	A3	JP	11-191116			07/13/1999		ABS

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 15 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.